

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

SHAWN DRUMGOLD,	)	C.A. NO. 04-11193NG
Plaintiff	)	
	)	
v	)	
	)	
TIMOTHY CALLAHAN, ET AL.	)	
Defendant(s)	)	
	)	

**PLAINTIFF’S MOTION TO EXTEND THE SCHEDULING ORDER**

Now comes the Plaintiff in the above-entitled matter and moves this Court to extend the scheduling order in the above captioned-matter. In support thereof, the Plaintiff says:

1. The parties have vigorously pursued discovery and have scheduled depositions for the majority of days in September.
2. The witnesses to be deposed consist primarily of civilian witnesses involved in the 1988 shooting of Tiffany Moore, police officers and attorneys. The parties have had substantial difficulty in locating and getting good service on civilian witnesses and in finding available dates for police officers and attorneys.
3. During the recent discovery, Plaintiff have discovered several areas which require additional depositions and discovery, including but not limited to
  - a. Information concerning masks which were allegedly recovered two days after the Tiffany Moore murder, and which were alleged to be used by the murderers of

Tiffany Moore. The Plaintiff was not aware of a police report concerning the masks prior to its disclosure in August.

- b. The potential presence of Police Lt. William Saunders at the key photo identification by witnesses Tracy Peaks and Mary Alexander. The identity of Mr. Saunders was just learned in the deposition on September 14.
  - c. The potential expert DNA analysis of the masks which are scheduled to be viewed by counsel in the week of September 18.
  - d. The necessity for further depositions of command position Boston Police officers as a result of the discovery produced by the Defendants.
4. Plaintiff has also been delayed in production of its Plaintiff's expert disclosure since the Plaintiff's experts' disclosure is dependent upon the depositions of the Defendants. Both Defendants Callahan and Murphy have had full days of depositions. Neither deposition was finished. Each deposition will take at least another full day. Plaintiff's expert cannot prepare an appropriate expert disclosure without the benefit of the full deposition of the Defendants
5. Defendants have also indicated their desire to extend discovery in order to complete the previously scheduled depositions, conduct further depositions and address the court on various Motions to Compel.

The Plaintiff's proposed extended tracking orders as follows:

- A. Discovery completed on or before November 6, 2006.
- B. The Plaintiff's expert disclosure to be submitted on or before November 6, 2006.
- C. Defendants' expert disclosure to be submitted on or before November 30, 2006.

- D. Expert depositions completed on or before December 15, 2006.
- E. Defendants' Motion for Summary Judgments filed on or before January 15, 2006.

Respectfully submitted,  
Attorney for Plaintiff,  
Shawn Drumgold

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Attorney for Plaintiff,  
Shawn Drumgold

/s/ Rosemary Curran Scapicchio

/s/ Michael W. Reilly

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